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10/613,595 TRANSMITTAL **FORM** Jul 3, 2003 **Filing Date** (to be used for all correspondence after initial filing) Kreusser, Nicholas Edward First Named Inventor **Group Art Unit TBA Examiner Name TBA** 25 Total Number of Pages in This Submission EOK-0002-UTL1 **Attorney Docket Number** ENCLOSURES (check all that apply) After Allowance Communication **Assignment Papers** Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences **Appeal Communication to Group** Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition **Proprietary Information** After Final Petition to Convert to a Affidavits/declaration(s) Status Letter **Provisional Application** Power of Attorney, Revocation Change of Correspondence Other Enclosure(s) (please **Extension of Time Request** identify below): Address **Express Abandonment Request** Information Disclosure Statement; Terminal Disclaimer Form 1449A/PTO; Information Disclosure Request for Refund Return Postcard; Statement 2 Patent References **Certified Copy of Priority** CD, Number of CD(s) Document(s) Response to Missing Parts/ Remarks **Incomplete Application** Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Edward Kreusser, Oſ Individual name Biotechnology Law Group Signature

CERTIFICATE OF MAILING

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August 23, 2003

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Nicholas E. Kreusser

Edward O. Kreusser

Serial No.: 10/613,595

Filed: 7/3/2003

Title: KITS AND METHODS FOR

IMPROVING BATTING

PERFORMANCE

Attorney Docket No.: EOK-0002-UTL1

Group Art Unit:

TBA

Examiner:

TBA

Mail Stop DD Commissioner for Patents P.O. Box 1450 Alexandria, BA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

<u>X</u>	under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
	under 37 CFR 1.97(c) together with either a: Statement under 37 CFR 1.97(e), or a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
	under 37 CFR 1.97(d) together with a: Statement under 37 CFR 1.97(e), and a \$180.00 fee set forth in 37 CFR 1.17(p). (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which

applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted, I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Édward O. Kreusser Mail Stop DD Attorney/Agent for Applicant(s) Commissioner for Patents Reg. No. 38523 P.O. Box 1450 Alexandria, BA 22313-1450 Date: August 23, 2003 Date of Deposit: Telephone No.: (858) 485-0513 Typed Name: Signature:

PTO/SB/08A (10-01) Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO		Complete if Kn wn			
		Application Number	10/613,595		
INFORMATION DISCLOSURE			SURE	Filing Date First Named Inventor	7/3/2003 Kreusser, Nicholas et al.
ST	STATEMENT BY APPLICANT (use as many sheets as necessary)				
				Art Unit	TBA
				Examiner Name	ТВА
Sheet	1	of	1	Attorney Docket Number	EOK-0002-UTL1

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No.1	Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,296.582	10-02-2001	MINNIEAR, Timothy.	
		US-6,514,161	02-04-2003	MINNIEAR, Timothy.	
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FOREIGN PATENT DOCUMENTS							
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner Signature Date

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Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST,3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST, 16 if possible. Applicant is to place a check mark here if English language Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office. Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.